HIGH COURT OF CHHATTISGARH AT BILASPUR

M.A. No. 711 of 2005

Appellants	1.	Punaram Sahu, aged 56 years, S/o Chhabilal Sahu.
	2.	Smt. Narbada Bai Sahu, 50 years, W/o Punaram Sahu. Both residentof Village-Potekohra, P.S. Chichola, District-Rajnandagaon (C.G.).
	Versus	
Respondents	1.	Jitendra @ Ganesh Ram Devangan, aged 22 years, resident of village-Charbhata, P.S. Bagnadi, Tahsil and District- Rajnandgaon (C.G.).
	2.	Rajkumar @ Raj Devangan S/o Kripa Ram Devangan, aged 43 years, Resident of Charbhata, P.S. Bagnadi, Tahsil and District- Rajnandgaon (C.G.).
	3.	The Branch Manager, The National Insurance Company Ltd., Branch Rajnandgaon (C.G.).

DB: Hon'ble Shri Justice S. R. Nayak, C.J.
& Hon'ble Shri Justice Satish K. Agnihotri, J.

Miss Bharti Manikpuri, Advocate, for the appellant.

Mr. Prashant Jayaswal, Senior Advocate with Shri Ali Asgar, Advocate for the Respondent No.3.

ORAL ORDER

(7th December 2005)

The following order of the Court was passed by S. R. Nayak, C.J.

1. In a death case, the parents who are claimants not being satisfied with the compensation awarded by the M.A.C.T. have preferred this appeal. It was contended by Miss Bharti Manikpuri, learned counsel for the appellants that the Tribunal is not justified in not awarding any compensation towards loss of the estate and loss of love and affection to the aged parents. We find force in the contention. The M.A.C.T. is not justified in not awarding any

compensation under the above two heads. Therefore, we award Rs. 25,000/- towards "loss to the estate" and also award Rs. 25,000/- towards "loss of love and affection". In all other respect the impugned award shall stand unaltered. The impugned award shall stand modified in terms of our order.

2. The appeal is allowed to the above extent. No order as to costs.

Sd/-
Chief Justice

Sd/-
SATISH K. ANGNIHOTRI
Judge

Thakur